

REMARKS

This application has been reviewed in light of the Office Action mailed December 8, 2005. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 2 - 11 are pending in the application with Claims 2, 7 and 11 being in independent form.

By the present amendment, Claims 2 and 7 are amended and Claim 11 is newly added. No new subject matter is introduced into the disclosure by way of the present amendment.

I. Objection to Claims 2 and 7

Claims 2 and 7 are objected to for several alleged informalities. Specifically, the Examiner does not find an antecedent basis for “up-and-down direction panel” recited in Claims 2 and 7. The claims should correctly recite: “...up-and-down direction of said display panel...” In response, Claims 2 and 7 are amended to correct this phrase.

Also, the Examiner alleges that antecedent basis for the limitation of “...a common display panel housing...” as recited in Claims 2 and 7, is not provided in the specification.

However, a common display panel housing is well supported throughout the specification. Specifically, the abstract and paragraphs 0002, 0012, 0013, 0017, 0029, 0034, 0044, 0049 and 0053, all either explicitly disclose the common display panel housing or identify a display panel housing having a common panel-mounting case and a common display cover, thus implicitly identifying the display panel housing as a “common display panel housing.”

Accordingly, Applicant respectfully requests withdrawal of the objections with respect to Claims 2 and 7.

II. Rejection of Claims 7 – 10 Under 35 U.S.C. § 102(b)

Claims 7 – 10 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,568,357 issued to Kochis et al.

The dampening cap 18 disclosed in Kochis et al., and equated to Applicant's second spacer, is described as effective for supporting frame unit 12 within enclosure 26, 28, so as to prevent dislocation of the frame unit by drop shock forces incident upon the enclosure from any direction, and providing three-dimensional cushioning between frame unit 12 and enclosure 26, 28 effective to dampen transmittal to frame unit 12 of drop shock forces incident upon the enclosure from any direction.

One skilled in the art would recognize that to adequately dampen the transmittal of drop shock forces, a dampening cap, as described in Kochis et al., cannot hold the display panel in a non-movable manner. The requirement for the dampening cap 18 to dampen and cushion drop shock forces necessitate that the dampening cap 18 act as a spring or elastic structure, such that a drop shock force results in the frame unit 12 oscillating between two extremes, which narrow over time due to a dampening, or spring, constant of the particular material.

If the frame unit 12 were held non-movably by the dampening caps, drop shock forces would be transmitted from the enclosure through the dampening caps to the frame unit 12 at full force resulting in damage of the display panel 13 enclosed by the frame unit 12, as indicated by well know principles of elastic and non-elastic physics. Thus, non-movably holding the display panel would defeat the stated purpose for using the dampening caps 18 in the Kochis et al. display support.

It is well-settled by the Courts that "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Company, et al., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir., 1984).

Therefore, as demonstrated above, because Kochis et al. does not disclose each and every element recited in the present claims, Applicant respectfully submits that the rejection has been obviated. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 7 – 10 under 35 U.S.C. § 102(b).

III. Rejection of Claims 2 – 5 Under 35 U.S.C. § 103(a)

Claims 2 – 5 are rejected under 35 U.S.C. § 103(a) as allegedly obvious over Kochis et al. The Examiner asserts that based on the structure shown in FIG. 1 of Kochis et al., it would be obvious to develop Applicant's claimed method of mounting a display panel.

However, as shown above, Kochis et al. does not properly disclose or suggest "...a step of non-movably holding said display panel in said panel-mounting case with at least two holding members, disposed at different positions from each other and fastened to said inner main-face of said panel-mounting case, at least one second spacer being provided between at least one of said at least two holding members and a lower outer side face of said display panel for positioning and non-movably holding said display panel along an up-and-down direction of said display panel..." as recited in Applicant's Claim 2.

Therefore, for at least the reasons given above, Claims 2 – 5 are believed to be patentably distinct and allowable over the cited prior art references. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 2 – 5 under 35 U.S.C. 103(a) over Kochis et al.

IV. Newly Added Claim 11

Newly added Claim 11 recites similar limitations as Claim 7, and is well supported throughout the specification. As such, Claim 11 does not introduce new subject matter into the


disclosure. Therefore, for at least the reasons given above, Claim 11 is believed to be patentably distinct and allowable over the cited prior art references.

CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 2 – 11 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



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